

The Honorable Robert J. Bryan

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

CIVIL ACTION NO. 3:17-cv-05806-RJB

DECLARATION OF BYRON
EAGLE IN SUPPORT OF STATE OF
WASHINGTON'S RESPONSE TO
THE COURT'S PROPOSED ORDER
GRANTING SUMMARY
JUDGMENT OF DISMISSAL (ECF
NO. 306)

DECLARATION OF BYRON EAGLE IN
SUPPORT OF STATE OF WASHINGTON'S
RESPONSE TO THE COURT'S PROPOSED
ORDER GRANTING SUMMARY JUDGMENT
OF DISMISSAL

ATTORNEY GENERAL OF WASHINGTON
Civil Rights Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 Under penalty of perjury under the laws of the United States of America, I, Byron Eagle,
2 certify that the below is true and correct:

3 1. My name is Byron Eagle. I am over the age of 18 and competent to testify in this
4 matter.

5 2. I am the Chief of Secure Residential Operations for the Washington State Special
6 Commitment Center (SCC). I have worked for the SCC for 18 years. I began as an entry-level
7 residential counselor and rose through the ranks, holding both security and residential positions.
8 I have served as Chief of Secure Residential Operations for two years. In this position, I have
9 executive management oversight over the SCC Residential Department, Security Department,
10 and Program Services Department—which includes the Residential Vocational Program (RVP).
11 I report directly to the Chief Executive Officer. Given my experience, I am familiar with all
12 aspects of the SCC, its operations and programs.

13 3. The SCC is a government institution owned and operated by the State of
14 Washington through its Department of Social and Health Services (DSHS). The SCC is a total
15 confinement facility that provides housing and specialized mental health treatment for civilly
16 committed sex offenders who have completed their prison sentences and are detained under
17 Washington's Sexually Violent Predator Statute, RCW 71.09.

18 4. The SCC provides its residents with clinical treatment and rehabilitation
19 programs with the goal of supporting eventual community transition. To fulfill that mission, each
20 resident within the SCC has an individualized treatment plan developed and monitored by SCC
21 clinical staff. These treatment plans include therapeutic treatment goals as well as rehabilitative
22 programming goals. The SCC's Residential Vocational Program (RVP) is an integral component
23 of residents' individualized treatment plans and most residents are provided opportunities to
24 work within the SCC facility, through the RVP, as part of their rehabilitation. Additional
25
26

1 Program Services available to SCC residents include educational services, recreational activities,
2 resident business activities, and religious services.

3 5. As part of my job as Chief of Secure Operations, residential staff consults with
4 clinical staff to understand each resident's particular needs and challenges, as well as their
5 treatment objectives, in order to secure placements in vocational and educational programming
6 that meet those particularized clinical requirements and recommendations. Because all resident
7 educational and vocational program assignments at the SCC are components of individualized
8 clinical treatment plans, the residents' treatment teams, the SCC therapists and clinical staff, are
9 directly involved in the RVP: job interviews and placement; oversight and evaluation of work
10 performed by resident; performance evaluations; and work-related disciplinary issues. This
11 structure ensures that the work advances the residents' treatment and rehabilitation goals.

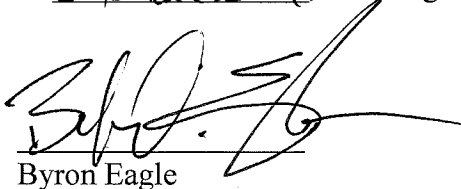
12 6. The RVP is designed to increase residents' readiness for eventual community
13 transition and enhance or develop necessary skills for employment. For example, the RVP
14 includes supporting residents in: obtaining gainful employment (including reviewing available
15 job postings, filling out applications, participating in interviews, and accepting jobs); providing
16 necessary training and certifications (industrial safety, food safety and sanitation); developing or
17 deepening work skills on the job; developing time management skills and reliability in meeting
18 a set work schedule; gaining work experience; engaging in performance evaluations. Through
19 the RVP, residents develop or demonstrate their capacity to work and this supports their
20 transition and reentry into the community and community-based employment opportunities.

21 7. SCC has a range of vocational activities available to residents within the RVP.
22 The normal RVP opportunities are available to residents who are at level 2 or above, and include
23 work in the residential unit (On-Unit) as well as work within the SCC but outside the residential
24 unit (Off-Unit). On-Unit jobs are offered first to qualified residents who have been there the
25 longest and include: cleaning day room twice a day; cleaning restrooms twice a day; dumping
26 trash and collecting laundry (for level 3 above). Off-Unit positions are all posted, left up for 10

1 days, require application, medical checks, recommendation by therapist, and interview. The Off-
 2 Unit jobs include: custodial and janitorial work; kitchen, cooking and food service; maintenance;
 3 seasonal landscaping and grass cutting; and clerical work. The SCC also provides residents with
 4 higher acuity needs (level 1) with vocational opportunities, but these are done directly under the
 5 supervision of a specialist.

6 8. The work of SCC residents within the RVP is tracked and residents are paid at
 7 rates generally between \$1-3/hour. Washington's Minimum Wage Act does not apply because
 8 the SCC is a state government institution.

9 Dated this 3rd day of October 2019 in Spokane, Washington.

10
 11 
 12 Byron Eagle

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the United States District Court using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated this 4th day of October 2019 in Seattle, Washington.

s/ Caitilin Hall
CAITILIN HALL
Legal Assistant

DECLARATION OF BYRON EAGLE IN
SUPPORT OF STATE OF WASHINGTON'S
RESPONSE TO THE COURT'S PROPOSED
ORDER GRANTING SUMMARY JUDGMENT
OF DISMISSAL

ATTORNEY GENERAL OF WASHINGTON
Civil Rights Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744